

HARSTON PRIMARY SCHOOL

LEAVE POLICY Reviewed May 8th 2002

Leave Policy

The Principal under the Teaching Service Act 1981 and Ministerial Order 154 has the delegated power to grant leave as per The Schools of the Future Reference Guide - Section 6.9.

Protocol

1. It is expected that staff will provide the Principal with the **maximum possible notice** in relation to applications for the following leave.
 - Sick Leave / Carer's Leave
 - Bereavement Leave
 - Jury Service Leave
 - Court Attendance Leave
 - Defence Force Training Leave
 - Parental Leave
 - Maternity Leave
 - Paternity Leave
 - Adoption Leave
 - Family Leave
 - Spouse Leave
 - Leave Without Pay
2. All applications for the above types of leave must be presented on an appropriate form and supported by substantial documentary evidence.
3. Applications for Long Service Leave must be lodged with the Principal at least two (2) terms prior to the intended commencement date of the leave.
4. Applications for Leave Without Pay must be made in writing to the Principal stating the reasons the leave is being requested and the duration of the leave.
Maximum possible notice is required to enable the Principal to give due consideration to the application.
5. In deciding whether to grant leave the following considerations will be taken into account.
 - The availability of replacement teachers
 - The impact of the leave on the school's educational programs
 - Multiple applications for leave for the same period
 - The financial cost to the school

N.B. School Support Officers are requested to bear in mind that the cost of all leave of less than 31 working days must be borne by the School Global Budget.

Teaching staff are requested to bear in mind that the cost of leave of less than 31 working days must be borne by the School Global Budget.

LEAVE TYPES AND ENTITLEMENTS

1. Recreation Leave / Annual Leave 6.9.1

Every teacher is entitled to 20 working days recreation leave in respect of each calendar year of service.

Recreation leave shall be granted and the Secretary may direct any teacher to take recreation leave at times appropriate to the needs of the school. Provided that the wishes of the teacher concerned shall be taken into consideration as far as practicable.

Any recreation leave accrued in a calendar year and not taken by 31st December of the following year shall lapse, except in special cases approved by the secretary.

2. Sick Leave / Carer's Leave 6.9.2

Teachers shall be entitled to cumulative credits for Sick Leave as follows:

- At the commencement of service - Leave on full pay 30 days.
- On the completion of two years service and for each year of service thereafter - Leave on full pay 15 days.

Fixed Term Teachers

On the completion of the first four weeks of service:

- Leave on full pay 9 days.
- On completion of one year of service - Leave on full pay 21 days.
- A teacher employed less than full time shall accrue sick leave on a pro rata basis according to the time fraction worked.

A staff member required to provide care and support for a member(s) of their immediate family or household will be granted Carer's Leave. The maximum amount of Carer's Leave which may be granted in any one calendar year with or without pay is 5 days. Unused Carer's Leave does not accumulate.

Carer's leave is deducted from the staff member's accrued personal sick leave.

3. Study Leave 6.9.3

Study Leave may be granted for full-time or part-time study with or without pay. Approval would usually require that the course is:

- Relevant to the priorities of the school/Department of Education.
- Relevant to the present or future duties of the applicant.
- The most appropriate form of training and development for the applicant.

4. Bereavement Leave 6.9.4

Leave on full pay of up to three days may be granted to any staff member on account of the death of a member of the staff member's immediate family or household.

Immediate family includes:

- spouse (including a former spouse, a de facto spouse and a former de facto spouse) of the teacher.
- child or adult (including adopted, step or ex nuptial child), parent, grandparent, grandchild or sibling of the staff member or spouse of the staff member.

The Principal may grant paid leave in other cases when in their opinion special circumstances exist. These include the death of:

- a person with whom the staff member had a close relationship.
- a step or foster parent or child.
- a relative who has taken the place of a parent.
- a relative residing with the staff member at the time of death.

5. Leave for Jury Service 6.9.5

Teachers required to appear as jurors under the Jurors Act 1967 shall be entitled to leave with pay for the period during which their attendance at court is required.

6. Court Attendance Leave 6.9.6

A teacher who attends a court as a Crown witness or under subpoena or summons in his or her official capacity as a teacher of the teaching service shall be granted paid leave subject to presentation of evidence that the teacher has attended the court for the period of such leave.

7. Spouse Leave 6.9.7

Leave without Pay from 3 months to 12 months shall be granted once every three years to a teacher whose spouse as a consequence of pursuing his/her occupation is required to shift residences interstate or overseas.

8. Leave for Defence Force Purposes 6.9.8

A teacher required to attend an annual training camp of the Australian Defence Force Reserves may be granted leave with pay to attend such camp:

- For its duration if this doesn't exceed 14 calendar days.
- For its duration or for eighteen days whichever is less, if the Commanding Officer of the Unit provides certification that the duration exceeds fourteen days.

9. Parental Leave 6.9.9

Any staff member upon completion of the required qualifying period, has entitlement to one form of paid leave in conjunction with the birth or adoption of a child (that is maternity, paternity or adoption leave). At the expiration of the paid component there is a further entitlement to unpaid leave.

10. Maternity Leave 6.9.10

A female teacher who is pregnant is required to absent herself from duty for the period:

- 6 weeks before the expected date of birth until 6 weeks after the actual date of her confinement or
- 6 weeks from the date of her confinement if she is confined earlier than 6 weeks before the expected date of birth of her child.

A teacher shall, subject to a satisfactory medical certificate stating that she is pregnant and the expected date of confinement, be entitled to maternity leave with pay for a continuous period of 12 weeks commencing:

- Six weeks prior to the expected date of confinement or
- At such time within six weeks prior to the expected date of the confinement.
- Where the birth occurs earlier than 6 weeks prior to the expected date of confinement.

11. Paternity Leave 6.9.11

A male teacher who submits satisfactory evidence that he is the father of or has accepted responsibility for the care of a child shall be granted paternity leave on full pay for up to one week or for periods aggregating up to one week to care for such child and/or mother of the child.

12. Leave for Adoption 6.9.12

A teacher who is an approved applicant for the adoption of a child shall, on submitting evidence of the placement of the child, be entitled to adoption leave for six weeks commencing on the date of placement.

13. Family Leave 6.9.13

A teacher shall be entitled to leave without pay for a maximum period of seven years, following or in conjunction with the birth or adoption of a child.

Family Leave may commence:

- At any time after the teacher submits satisfactory medical evidence that she is pregnant but shall not commence later than 6 weeks before the expected birth of the child.
- At any time after the birth or adoption of the child.

14. Long Service Leave 6.9.14

A staff member who has completed ten years service is entitled to three months long service leave with full pay.

Further Long Service Leave accrues at the rate of one and a half months for each additional period of five years completed service.

Part Time Staff members accrue leave on the same basis, but receive pro rata payment during the leave.

Recognition of Prior Service 6.9.15

Staff members who commence employment with the Department of Education within twelve months of being employed in any Victorian public service department or other approved organisation may have that service approved for the purposes of long service leave and sick leave, provided that such credit shall be reduced by the amount of leave that has been paid in lieu.

Teachers

A teacher who ceases duty with the Teaching Service and is subsequently re-employed in the Teaching Service within five years may have the prior service approved for the purpose of sick leave (provided that up to a maximum of thirty days on full pay may be credited) and for the purposes of long service leave (subject to the provisions of clause 6.11.9 and 6.11.10 of Teaching Service Order No 154.

School Service Officers

A school service officer who has a break of less than twelve months service between employment with an approved organisation and employment with the school, may have prior service approved for the purposes of sick leave (provided that up to a maximum of thirty days on full pay may be credited) and for the purpose of long service leave (subject to the provisions of clause 6.11.10 Ministerial Order No 141.

'Service' which qualifies for recognition

The following service qualifies for recognition in relation to accrual of long service leave and sick leave entitlements. Any period:

- As a student teacher, student-in-training or studentship holder with the Department of Education.
- Of leave with or without pay granted to undertake studies under specific awards as listed in clause 6.11.8 of order No 154.
- With approved employer listed in schedule 3 of Order No 154 and schedule 2 of Ministerial Order No 141.

- During which a staff member received a temporary pension benefit payable under the *State Superannuation Act 1988*.
- Of war service in the armed forces of the Commonwealth of Australia, provided that service ceased within five years of commencing with the Department of Education or any other recognised employer.

16. Leave Without Pay 6.9.16

Leave Without Pay maybe granted for up to twelve months for any of the following:

- family reasons
- to undertake alternative employment
- to undertake study and / or training
- to travel
- to participate in sporting events
- to pursue the development of personal interests
- for any other reason approved by the Principal

For details of:

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| • Leave for Family Care purposes | 6.9.17 |
| • Leave for Other purposes | 6.9.18 |
| • Resumption of Leave | 6.9.19 |
| • Public Holidays | 6.9.20 |
| • International Teaching Fellowships | 6.9.21 |
| LOTE/ ESL Teaching exchange | |
| • Interstate teaching exchange | 6.9.22 |
| • Approved for overseas travel | 6.9.23 |
| • Trade Union training leave | 6.9.24 |
| • Teacher Sabbatical leave | 6.9.25 |

Refer to the relevant section of the Schools of the Future Reference Guide.

Leave information for all staff can be found in the Schools of the Future Reference Guide.

This documentation is available via the School Office.